

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

QUIANDRA JOHNSON,

Plaintiff,

VS.

DOLLAR TREE STORES, INC.,

Defendant.

Case No.:

NOTICE OF REMOVAL

Comes now Defendant Dollar Tree Stores, Inc. and hereby files and serves this Notice of Removal, removing this action from the Circuit Court of Jefferson County, Alabama, to the United States District Court for the Northern District of Alabama, Southern Division. In support thereof, the Defendant states as follows.

1. This civil action was initiated in the Circuit Court of Jefferson County, Alabama, as case number CV-2021-901541. The Summons and Complaint was served upon the Defendant on or about May 25, 2021. A true and accurate copy of the Summons and Complaint are attached hereto as Exhibit “A.”

2. This Notice of Removal is timely, as it is filed within thirty (30) days following service of process.

3. This action is being removed to Federal District Court on the basis of diversity jurisdiction as allowed by 28 U.S.C. § 1332.

4. The United States District Court for the Northern District of Alabama, Southern Division, has original jurisdiction under 28 U.S.C. § 1332. This action is removable under 28 U.S.C. § 1441.

5. This Court has jurisdiction under 28 U.S.C. § 1332, and removal is proper pursuant to 28 U.S.C. § 1441, because there is diversity of citizenship with regard to all properly joined properties. The Plaintiff, Quiandra Johnson, is a citizen of the State of Alabama. Defendant Dollar Tree Stores, Inc. is a foreign corporation, incorporated in the State of Virginia, with its principal place of business in Virginia. As such, complete diversity of citizenship exists.

6. The amount in controversy requirements are met in this action. Plaintiff's counsel has indicated that the Plaintiff, Quiandra Johnson, suffered a fractured femur as a result of the incident made the basis of this lawsuit. Obviously, an injury of that nature, if proven, could easily result in a verdict in excess of \$75,000.00.

7. This Notice of Removal and other accompanying papers and notices have been served upon all counsel of record and adverse parties and filed with the Clerk of the State of Court from which this action is being removed, the Circuit Court of Jefferson County, Alabama, as required by 28 U.S.C. § 1446(d). A copy of said Notice of Filing Notice of Removal is attached hereto as Exhibit "B."

8. This Notice is signed pursuant to Rule 11 of the Federal Rules of Civil Procedure, as required by 28 U.S.C. § 1446(a) as amended, which eliminates the requirement for a verified petition.

9. A copy of all pleadings, papers, Notices, and Orders, served upon the Defendant and which consist of the Record of the Clerk of the Circuit Court of Jefferson County, Alabama, have been attached hereto as Exhibit “A.”

10. For the reasons stated herein, this Federal District Court has jurisdiction of this case pursuant to 28 U.S.C. § 1332 and the case is properly removed pursuant to 28 U.S.C. 1441.

Respectfully submitted,

s/Joseph E. Stott

JOSEPH E. STOTT - STO041 (ASB-4163-T71J)
Attorney for Defendant Dollar Tree Stores, Inc.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have on June 23, 2021 served a copy of the foregoing on the following attorneys of record via CM/ECF and/or by placing a copy of same in the U.S. Mail:

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s/ Joseph E. Stott
OF COUNSEL